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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/706,088	11/03/2000	Thad G. Walker	032026:0486	5028

23524 7590 06/04/2003

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EXAMINER

LANDAU, MATTHEW C

ART UNIT PAPER NUMBER

2815

DATE MAILED: 06/04/2003

Please find below and/or attached an Office communication concerning this application or proceeding.



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09 / 706088 APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER

ART UNIT	PAPER
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14

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Commissioner for Patents

SEE ATTACHMENT

DETAILED ACTION

Election/Restrictions

The amendment filed on 8/8/02, amending the claims in a manner whereby only claims drawn to a non-elected species are presented, is non-responsive (MPEP § 821.03). The remaining claims are not readable on the elected species because the independent claims 1, 13, and 20 have been amended to include the limitation “a polarization rotation element in the beam path from the collimating element to the diffraction grating”. Independent claim 32 contains the limitation “reflecting light from the diffraction grating by a mirror back to the diffraction grating”. The elected species, as shown in Figure 7, does not illustrate these limitations. Applicant’s comments regarding Figure 2 have been carefully noted. However, Applicant clearly elected the embodiment shown in Figure 7 in the response to the restriction requirement filed September 9, 2002. Therefore, whether or not the embodiment shown in Figure 2 should have been identified as a separate species, is not an issue at this point in the prosecution.

Since the above-mentioned amendment appears to be a *bona fide* attempt to reply, applicant is given a TIME PERIOD of ONE (1) MONTH or THIRTY (30) DAYS, whichever is longer, from the mailing date of this notice within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD UNDER 37 CFR 1.136(a) ARE AVAILABLE.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matthew C. Landau whose telephone number is (703) 305-4396.

The examiner can normally be reached from 8:00 AM-4:30 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eddie Lee can be reached on (703) 308-1690. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-7722 for regular communications and (703) 308-7722 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.



**EDDIE LEE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800**

Matthew C. Landau

Examiner

May 30, 2003